

1 Center located in San Diego, CA.

2 2. ICE is currently attempting to obtain travel documents for the deportation of Petitioner to
3 Russia. Petitioner has been in ICE custody since June 28, 2007.

4 3. It is submitted that given the fact upon which this application for writ is based – a denial of
5 Petitioner's right to counsel under the U.S. Constitution and the fact the denial of that right led to the
6 convictions upon which Mr. Tatarinov's removal order is based, present serious legal issues that have
7 not been addressed.

8 4. Without a stay, Mr. Tatarinov could be removed from the United States without ever having
9 his constitutional claims heard.

10 Based on the foregoing it is respectfully requested that this Court issue an order staying
11 the removal of the Petitioner in this matter pending a decision on the applications for writ of habeas
12 corpus.

13 Respectfully submitted,

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16 Dated: November 20, 2007

s/Patricia Lynn Jacks
PATRICIA LYNN JACKS
Attorney for the Petitioner

United States District Court
For the Southern District of California
) Civil No. 07cv2033 L (NLS)

Dmitri Vallerveich TATARINOV,

Petitioner,

) USICE No. A72 779 308

vs.

Superior Court of the State of California, County of)
San Diego; Office of the Chief Counsel, Dept. of)
Homeland Security; U.S. Attorney, Southern)
District; ICE Detention & Removal Unit)

DECLARATION OF SERVICE

Respondents.

I, the undersigned declare under penalty of perjury that I am over the age of eighteen years and not a party to this action; that I served the above-named person the following documents:

**PETITIONER'S NOTICE OF MOTION AND MOTION FOR STAY OF REMOVAL DURING
PENDENCY OF APPLICATION FOR WRIT OF HABEAS CORPUS**

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Attorney General**
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- **U S Attorney CV**
Efile.dkt.civ@usdoj.gov
- **Kevin R Vienna**
Kevin.Vienna@doj.ca.gov,DocketingSDAWT@doj.ca.gov,Susan.Volsky@doj.ca.gov,ECFCoordinates@doj.ca.gov,Bonnie.Peak@doj.ca.gov

Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)

Executed on **November 20, 2007**, at San Diego, California.

s/Patricia Lynn Jacks
PATRICIA LYNN JACKS
Attorney at Law